

Case Management

# CM / ECF

Electronic Case Files

## CM/ECF for Attorneys and Trustees United States Bankruptcy Court for the Eastern District of Oklahoma

**Case Management/Electronic Case Files (CM/ECF)** is the new nationally sponsored case management and electronic case files system for the Federal Courts. Implementation of CM/ECF has been underway since 2001. CM/ECF provides a new, easy-to-use electronic case filing feature that will make life easier for you by allowing you to file and view pleadings, motions, and petitions over the Internet.

### What Does CM/ECF Offer?

CM/ECF will allow attorneys and Trustees to file, view and download documents from their office, home or anywhere they have access to the Internet, **24 hours a day**. Documents are automatically docketed as part of the filing process and are immediately available electronically. CM/ECF also provides the following benefits:

- 24-hour access to filed documents over the Internet for viewing or downloading. Attorneys can file case documents 24 hours a day, 7 days a week from their offices or homes right up to the filing deadline, without worrying about postage, messenger services or traffic congestion
- Automatic e-mail notice of case activity to parties and automatic verification in the form of a "Notice of Electronic Filing" is sent by e-mail to the filer immediately after filing
- The ability to download and print documents directly from the court system knowing that the docket sheets are updated immediately as documents are filed

- Concurrent access to case files by multiple parties. The Judge, court staff and the public can review case files simultaneously
- Secure storage of documents (so files are not misplaced)
- Potential reduction in courier fees and postage
- Since CM/ECF uses Internet standard software, the out-of-pocket cost of participation for attorneys is typically very low

### What Do I Need to Use CM/ECF?

- A personal computer running a standard platform such as Windows 95, 98, 2000, NT, Millennium or Macintosh. A minimum of 16MB memory (32 MB recommended) a 28.8K or higher modem (56K is recommended)
- A PDF-compatible word processor software like Macintosh or Windows-based versions of WordPerfect or Word
- High-speed Internet access (DSL, cable modem or ISDN Line using PPP Point-to-Point Protocol) and a browser that supports HTTP. The system has been certified with Internet Explorer 5.5 and Netscape Navigator version 4.6 or 4.7 (free from [www.netscape.com](http://www.netscape.com)) Do not use America Online's version of Netscape Navigator or a version lower than 4.6
- Software to convert documents into PDF. Adobe Acrobat PDF "Writer" Version 3.X, 4.X and 5.0. Adobe Acrobat "Reader" is free at [www.adobe.com](http://www.adobe.com)

- Scanning equipment may be necessary to create electronic images of documents that are not in your word processing system

### How Does it Work?

The electronic case files system only accepts documents in a **portable document format (PDF)**. PDF retains the way a document looks, so the pages, fonts and other formatting are preserved. Adobe developed the format, and offers software that allows conversion of documents created in most word processing systems into PDF. Filing a document with the court's CM/ECF system is quite easy:

- Create the document using word processing software
- Save the document in PDF format
- Log onto the court's CM/ECF system, using a court-issued login and password
- Follow the set of simple prompts to provide information about the case, party and document to be filed
- Attach the PDF document and submit it to the court for filing (by pressing a submit button)
- Save or print the CM/ECF electronic receipt e-mailed from the court confirming that the document was filed

### Are There Fees?

There are no added fees for filing documents over the Internet using CM/ECF; existing document filing fees do apply. Electronic access to court data is available through the Public Access to Court Electronic Records (PACER) program. Attorneys, Trustees, and litigants receive **one free copy of documents filed electronically in their cases**; additional copies are available for viewing

or downloading at **eight cents per page with a \$2.40 cap on the charge for any single document**. Directed by Congress to fund electronic access through user fees, the judiciary has set the fee at the lowest possible level sufficient to recoup program costs.

The PACER Service Center sends quarterly statements. A statement will be generated and mailed for your account, if you have accrued charges during the quarter and have a balance due greater than \$10. **If your balance due is less than \$10, no statement will be mailed and payment will be deferred** until the balance due is greater than \$10. The statement will only include the total amount due.

### How will I Pay Filing Fees?

The Department of Treasury, through its Financial Management Service (FMS), has established a mechanism to enable federal agencies to accept credit cards (Visa, MasterCard, Discover, American Express, Diners Club, Carte Blanche) for the collection of fees due to the government. The United States Bankruptcy Court for the Eastern District of Oklahoma has elected to participate in this program, which enables the court to collect fees in the most expeditious manner.

A lawyer or law firm filing a document requiring a fee can pay the fee by credit card by placing a "cc" on the bottom left hand corner of the document. (A debtor's credit card will **NOT** be accepted.) At the present time, the lawyer or law firm must first establish an account with the Clerk's Office by completing a Credit Card Authorization Form. When a document is filed that requires a filing fee, the Clerk's Office will, at the end of the day or the next business day, charge that filing fee to the lawyers' or law firm's account. The information on the form will be securely maintained in the Clerk's Office. You may obtain a form from the Court's website. [www.okeb.uscourts.gov](http://www.okeb.uscourts.gov).

### **How will I Sign Documents?**

The court will issue logins and passwords. Using your login and password to file a document is considered to be your signature.

### **How Secure is CM/ECF?**

CM/ECF has many security features and has passed an evaluation by the National Security Agency. Access to the system is through a court issued login and password.

### **When is CM/ECF Coming to This Court?**

The CM/ECF system for bankruptcy courts is being implemented nationally over a two-to-three year period starting March 2001. CM/ECF is currently in use in many courts. Millions of cases and tens of millions of documents are on CM/ECF systems, and thousands of attorneys across the country are filing documents electronically. The United States Bankruptcy Court for the Eastern District of Oklahoma is currently in the process of implementing CM/ECF. We expect attorneys to be able to file electronically in our court in March 2004.

### **What Kind of Training will be Provided?**

The United States Bankruptcy Court for the Eastern District of Oklahoma will provide hands on training free of charge to the United States Trustee and staff, Trustees and staff, Attorneys and staff, and any other parties that desire training. Training will begin when all of the Bankruptcy Court staff has met their training requirements and are certified to train outside users. You will be able to register for training as soon as it is posted on the Court's website. [www.okeb.uscourts.gov](http://www.okeb.uscourts.gov).

You may begin your training by using the CM/ECF computer based training modules at [www.pacer.psc.uscourts.gov/ecfcbt](http://www.pacer.psc.uscourts.gov/ecfcbt)

### **How can I find Additional Information about CM/ECF?**

You may visit the official CM/ECF web page at the public website for the United States Courts. [www.uscourts.gov](http://www.uscourts.gov). See electronic access to courts.

### **Can I Continue to Use my Current Bankruptcy Software?**

Most current Bankruptcy Software is compatible with CM/ECF. Call your vendor to obtain more information.

### **Contact Information**

The United States Bankruptcy Court for the Eastern District of Oklahoma will post the latest information regarding CM/ECF on our website at [www.okeb.uscourts.gov](http://www.okeb.uscourts.gov).

If you desire additional information you may contact the following individuals:

**Therese Buthod**, Clerk of Court, 758-0126 ext 221

**Fred Burks**, Chief Deputy, CM/ECF Project Manager 758-0126 ext 224

**Jeff Evans**, Systems Manager, CM/ECF Systems 758-0126 ext 229

**Debra Anderson**, Operations Manager, CM/ECF Operations 758-0127 ext 228.